

REMARKS

Request for Reconsideration

Applicant has carefully considered the matters raised by Examiner in the outstanding Office Action, but remains of the position that patentable subject matter is present. Applicant respectfully requests reconsideration of Examiner's position based on the amendments to the claims and the following remarks.

Claim Status

Claims 1-7, 9 and 10 are pending. Claim 1 has been amended herein to add the limitations of claim 8 and claim 8 has been canceled.

Claim 8 had been indicated as allowable if rewritten into independent form. Claim 8 had been dependent upon claim 1 and claim 1 has been amended to add the limitation of claim 8. Thus, claim 1 is now equivalent to claim 8 rewritten into independent form.

All the other claims are now dependent on claim 1 and it is submitted that all the claims are now allowable.

Claim Rejections – 35 U.S.C. § 103

Claims 1-7 and 9-10 had been rejected under 35 U.S.C. § 103(a) as being unpatentable over Muntnich, *et al.* (U.S. Patent 4,971,460) in view of DE 815264.

Claim 1 has been amended herein to include claim 8. With the limitations of claim 8 added to claim 1, claim 1 is now patentable over Muntnich in view of DE 815264.

Since Applicant has modified claims 1 to distinguish over prior art, claims 2-7 and 9-10 are also distinguishable over prior art and patentable..

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account No. 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By: Donald C. Lucas
Donald C. Lucas, 31,275
Attorney for Applicant(s)
475 Park Avenue South, 15th Floor
New York, NY 10016
Tel. 212-661-8000

DCL/JRW/ns